

ORDINANCE NO. 2444

AN ORDINANCE OF THE CITY OF GARDNER, KANSAS AMENDING AND REPEALING PROVISIONS WITHIN SECTIONS 3(a) AND 4(i) OF ORDINANCE NO. 2296 RELATING TO THE AUTHORITY OF THE ELECTRIC UTILITY BOARD TO ADOPT POLICIES RELATING TO EXPENDITURE OF FUNDS AND REQUIRING EXPENDITURES OF THE CITY'S ELECTRIC UTILITY TO BE IN CONFORMITY WITH CITY PURCHASING POLICIES.

WHEREAS, Section 3(a) of Ordinance No. 2296 permits the Electric Utility Board to establish written policies governing the City's electric utility's operations including policies governing "expenditures of funds;"

WHEREAS, Section 4(i) of Ordinance No. 2296 similarly provides that "*Authorization of expenditures*. No money shall be drawn from the funds of the electric utility nor shall any obligation for the expenditure of money be incurred except in conformity with established purchasing policies and procedures and as authorized by the Board and approved by the Director or by some other employee to be designated by the Director;"

WHEREAS, it is the desire and intent of the Governing Body of the City of Gardner, Kansas that the expenditures of the City's electric utility should be made pursuant to the Purchasing Policy of the City of Gardner, as may be amended, rather than pursuant to policies and procedures adopted by the Electric Utility Board;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

Section 1. Section 3(a) of Ordinance No. 2296 shall be amended to strike the term "expenditure of funds" from the first sentence. The following sentence shall be added to Section 3(a),

"The authority to establish policies relating to the expenditure of funds of the utility is however reserved to the Governing Body of the City."

Section 2. Section 4(i) of Ordinance No. 2296 shall be amended to state as follows:

"*Authorization for expenditures*. No money shall be drawn from the funds of the electric utility nor shall any obligation for the expenditure of money be incurred except in conformity with established purchasing policies of the City."

Section 3. That Sections 3(a) and 4(i) of Ordinance No. 2296 to the extent that such Sections are inconsistent with the foregoing amendments are hereby repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body of the City and publication in the official City newspaper.

PASSED BY THE GOVERNING BODY, this 3rd day of February, 2014.

/s/Chris Morrow
Chris Morrow, Mayor

(SEAL)

ATTEST:

/s/Kimberly D. LeRoy
Kimberly D. LeRoy, City Clerk

APPROVED AS TO FORM:

/s/ Ryan Denk
Ryan Denk, City Attorney